
From: Ken Lederman <ken.lederman@foster.com>
Sent: Friday, April 17, 2020 3:50 PM
To: Leefers, Kristin
Subject: RE: Spokane Recycling administrative dissolution

Thanks Kris. Take care and stay safe.

Ken Lederman
Principal

Foster Garvey PC
Direct: 206.447.6267
Cell: 206.595.0680
ken.lederman@foster.com

From: Leefers, Kristin [mailto:Leefers.Kristin@epa.gov]
Sent: Friday, April 17, 2020 3:46 PM
To: Ken Lederman
Subject: FW: Spokane Recycling administrative dissolution

Ken-

This is the communication between EPA and Spokane Recycling regarding reinstatement that I mentioned during our call this afternoon.

Take care,
Kris

Kris Leefers
Assistant Regional Counsel
Deputy Unit Dive Officer
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 155
M/S: 11-C07
Seattle, Washington 98101
206-553-1532
leefers.kristin@epa.gov

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From: Paramjit Hoti (b) (6)
Sent: Sunday, March 22, 2020 12:35 PM
To: Leefers, Kristin <Leefers.Kristin@epa.gov>
Subject: Re: Spokane Recycling administrative dissolution

Hi Kristin,

Hope this finds you well.

Please see attached statement of reinstatement.

Regards,
Parm

From: Leefers, Kristin <Leefers.Kristin@epa.gov>
Sent: March 17, 2020 3:50 PM
To: Paramjit Hothi (b) (6)
Subject: Spokane Recycling administrative dissolution

Good Afternoon Mr. Hothi,

Thank you for sending EPA the business license in response to our request. I have done some more research on the administrative dissolution matter and have attached the two documents from the Washington Secretary of State that provide notice of potential dissolution on September 1, 2019 and notice of administrative dissolution on January 3, 2020. My understanding is that the business license is a separate requirement, so even though the company has a license, the company has been dissolved by the Washington Secretary of State action.

My research indicates that due to the administrative dissolution, Spokane Recycling only has authority to conduct business winding up activities and/or to apply for reinstatement. The state law regarding dissolution is located at Revised Code of Washington (RCW) 25.15.297 and RCW 23.95.610.

Since Spokane Recycling, while dissolved, does not have authority to enter into agreements that are beyond the scope of winding up activities, EPA is not in a position to enter into a settlement agreement to address Spokane Recycling's liability as a current owner of the Site. If Spokane Recycling applies for reinstatement, and is reinstated, we can proceed with entering into a settlement agreement regarding liability for cleanup at the property. As you know, since I represent EPA, I cannot give you legal advice as to what decisions the company should make or impacts from dissolution versus reinstatement on the company.

Please give this matter close attention. I request a response from you by March 30 as to whether Spokane Recycling will apply for reinstatement with the Washington Secretary of State. As you know we are working to make decisions and prepare for removal actions within the next month, so an understanding of Spokane Recycling's corporate status is time critical.

Sincerely,
Kris

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